

1 **STATE OF IOWA**
2 **BOARD OF EDUCATIONAL EXAMINERS**
3 **Grimes State Office Building – 400 East 14th Street**
4 **Des Moines, Iowa 50319-0147**

5
6 **Minutes**

7
8 **October 15, 2012**
9

10 The Board of Educational Examiners held its monthly meeting on October 15, 2012.

11 Carol Trueg called the meeting to order. Members attending were Julio Almanza,
12 Tammy Duehr, Dr. Larry Hill, Dr. Marianne Mickelson, Oscar Ortiz, Mary K.
13 Overholtzer and Richard Wortmann. Also in attendance was Duane Magee, Executive
14 Director and Julie Bussanmas, Assistant Attorney General. Dr. Jason Glass, Merle
15 Johnson, Dr. Bev Smith and Laura Stevens were unable to attend.

16
17 Dr. Larry Hill moved, with a second by Marianne Mickelson, to approve the agenda.
18 **MOTION CARRIED UNANIMOUSLY.**

19
20 Tammy Duehr moved, with a second by Oscar Ortiz, to approve the amended consent
21 agenda. (Amend page 4 of the August 9-10, 2012 minutes, strike lines 10-13.)
22 **MOTION CARRIED UNANIMOUSLY.**

23
24 Oscar Ortiz moved, with a second by Tammy Duehr, that the Board go into closed
25 session for the purposes of discussing whether to initiate licensee disciplinary
26 proceedings and discussing the decision to be rendered in a contested case, pursuant
27 to Iowa Code sections 21.5(1)(d) and 21.5(1)(f). Roll call vote: Almanza – yes; Duehr –
28 yes; Hill – yes; Mickelson – yes; Ortiz – yes; Overholtzer – yes; Trueg – yes; Wortmann –
29 yes. **MOTION CARRIED.**

30
31 Oscar Ortiz moved, with a second by Tammy Duehr, that in **case number 11-98**, the
32 Board find probable cause to establish a violation of the following provisions of the

1 Code of Professional Conduct and Ethics, 282 IAC 25.3(1)(b)(1) and order this case set
2 for hearing. **MOTION CARRIED UNANIMOUSLY.**

3
4 Tammy Duehr moved, with a second by Marianne Mickelson, that in **case number 12-**
5 **16**, the Board find probable cause to establish a violation of the following provisions of
6 the Code of Professional Conduct and Ethics, 282 IAC 25.3(1)(b)(1) and order this case
7 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

8
9 Marianne Mickelson moved, with a second by Tammy Duehr, that in **case number 12-**
10 **17**, the Board find that, although one or more of the allegations in the complaint may
11 be substantiated by the witnesses interviewed in the course of the investigation
12 [and/or] the documents gathered in the course of the investigation, and the allegations
13 may constitute a technical violation of the Board's statute or administrative rules; the
14 evidence before the Board indicates that adequate steps have been taken to remedy
15 the violation and to ensure that incidents of a similar nature do not occur in the
16 future. The Board will not pursue formal disciplinary action in this matter. **MOTION**
17 **CARRIED UNANIMOUSLY.**

18
19 Tammy Duehr moved, with a second by Marianne Mickelson, that in **case number 12-**
20 **30**, the Board finds that, although one or more of the allegations in the complaint may
21 be substantiated by the witnesses interviewed in the course of the investigation
22 [and/or] the documents gathered in the course of the investigation, and the allegations
23 may constitute a technical violation of the Board's statute or administrative rules; the
24 evidence before the Board indicates that this has been handled at the local level and
25 litigated. The Board will not pursue formal disciplinary action in this matter. Roll call
26 vote: Almanza – recused; Duehr – yes; Hill – yes; Mickelson – yes; Ortiz – yes;
27 Overholtzer – yes; Trueg – yes; Wortmann – yes. **MOTION CARRIED.**

28
29 Oscar Ortiz moved, with a second by Marianne Mickelson, that in **case number 12-**
30 **32**, the Board find probable cause to establish a violation of the following provisions of
31 the Code of Professional Conduct and Ethics, 282 IAC 25.3(1)(b)(1) and order this case
32 set for hearing. **MOTION CARRIED UNANIMOUSLY.**

1 Julio Almanza moved, with a second by Tammy Duehr, that in **case number 12-37**,
2 the Board find probable cause to establish a violation of the following provisions of the
3 Code of Professional Conduct and Ethics, 282 IAC 25.3(1)(b)(1) and order this case set
4 for hearing. **MOTION CARRIED UNANIMOUSLY.**

5
6 Julio Almanza moved, with a second by Oscar Ortiz, that in **case number 12-68**,
7 the Board finds probable cause to establish a violation of the following provisions of
8 the Code of Professional Conduct and Ethics, 282 IAC 25.3(1)(e)(3), (4), (5) and order
9 this case set for hearing. **MOTION CARRIED UNANIMOUSLY.**

10
11 Tammy Duehr moved, with a second by Marianne Mickelson, that in **case number 12-**
12 **80**, the Board find probable cause to establish a violation of the following provisions of
13 the Code of Professional Conduct and Ethics, 282 IAC 25.3(1)(e)(5) and 25.3(6)(c) and
14 order this case set for hearing. **MOTION CARRIED UNANIMOUSLY.** (Duane T.
15 Magee, Executive Director, left the room and did not take part in the discussion of this
16 case.)

17
18 Tammy Duehr moved, with a second by Marianne Mickelson, that in **case number 12-**
19 **85**, the Board finds that although one or more of the allegations in the complaint may
20 be substantiated by the witnesses interviewed in the course of the investigation
21 [and/or] the documents gathered in the course of the investigation, and the allegations
22 may constitute a technical violation of the Board's statute or administrative rules; the
23 evidence before the Board indicates that adequate steps have been taken to remedy
24 the violation and to ensure that incidents of a similar nature do not occur in the
25 future. The Board will not pursue formal disciplinary action in this matter. **MOTION**
26 **CARRIED UNANIMOUSLY.**

27
28 Marianne Mickelson moved, with a second by Oscar Ortiz, that in **case number 12-**
29 **47**, the Board find that the evidence gathered in the investigation, including witness
30 statements and the documentary evidence, does not substantiate the allegations in the
31 complaint, and that the Board therefore lacks probable cause to proceed with this
32 matter. **MOTION CARRIED UNANIMOUSLY.**

1 Tammy Duehr moved, with a second by Marianne Mickelson, that in **case number 12-**
2 **48**, the Board find that the evidence gathered in the investigation, including witness
3 statements and the documentary evidence, does not substantiate the allegations in the
4 complaint, and that the Board therefore lacks probable cause to proceed with this
5 matter. **MOTION CARRIED UNANIMOUSLY.**

6
7 Marianne Mickelson moved, with a second by Tammy Duehr, that in **case number 12-**
8 **49**, the Board find that the evidence gathered in the investigation, including witness
9 statements and the documentary evidence, does not substantiate the allegations in the
10 complaint, and that the Board therefore lacks probable cause to proceed with this
11 matter. **MOTION CARRIED UNANIMOUSLY.**

12
13 Julio Almanza moved, with a second by Tammy Duehr, that in **case number 12-50**,
14 the Board find that the evidence gathered in the investigation, including witness
15 statements and the documentary evidence, does not substantiate the allegations in the
16 complaint, and that the Board therefore lacks probable cause to proceed with this
17 matter. Roll call vote: Almanza – yes; Duehr – yes; Hill – yes; Mickelson – yes; Ortiz –
18 yes; Overholtzer – recused; Trueg – yes; Wortmann – yes. **MOTION CARRIED.**
19 (Duane T. Magee, Executive Director and Mary K. Overholtzer left the room during
20 discussion of this case.)

21
22 Oscar Ortiz moved, with a second by Marianne Mickelson, that in **case number 12-**
23 **51**, the Board find that the evidence gathered in the investigation, including witness
24 statements and the documentary evidence, does not substantiate the allegations in the
25 complaint, and that the Board therefore lacks probable cause to proceed with this
26 matter. **MOTION CARRIED UNANIMOUSLY.**

27
28 Marianne Mickelson moved, with a second by Tammy Duehr, that in **case number 12-**
29 **52**, the Board find that the evidence gathered in the investigation, including witness
30 statements and the documentary evidence, does not substantiate the allegations in the

1 complaint, and that the Board therefore lacks probable cause to proceed with this
2 matter. **MOTION CARRIED UNANIMOUSLY.**

3
4 Julio Almanza moved, with a second by Marianne Mickelson, that in **case number 12-**
5 **53**, the Board find that the evidence gathered in the investigation, including witness
6 statements and the documentary evidence, does not substantiate the allegations in the
7 complaint, and that the Board therefore lacks probable cause to proceed with this
8 matter. **MOTION CARRIED UNANIMOUSLY.**

9
10 Tammy Duehr moved, with a second by Julio Almanza, that in **case number 12-54**,
11 the Board find that the evidence gathered in the investigation, including witness
12 statements and the documentary evidence, does not substantiate the allegations in the
13 complaint, and that the Board therefore lacks probable cause to proceed with this
14 matter. **MOTION CARRIED UNANIMOUSLY.**

15
16 Tammy Duehr moved, with a second by Julio Almanza, that in **case number 12-55**,
17 the Board find that the evidence gathered in the investigation, including witness
18 statements and the documentary evidence, does not substantiate the allegations in the
19 complaint, and that the Board therefore lacks probable cause to proceed with this
20 matter. **MOTION CARRIED UNANIMOUSLY.**

21
22 Oscar Ortiz moved, with a second by Julio Almanza, that in **case number 12-56**, the
23 Board find that the evidence gathered in the investigation, including witness
24 statements and the documentary evidence, does not substantiate the allegations in the
25 complaint, and that the Board therefore lacks probable cause to proceed with this
26 matter. **MOTION CARRIED UNANIMOUSLY.**

27
28 Oscar Ortiz moved, with a second by Marianne Mickelson, that in **case number 12-**
29 **57**, the Board find that the evidence gathered in the investigation, including witness
30 statements and the documentary evidence, does not substantiate the allegations in the

1 complaint, and that the Board therefore lacks probable cause to proceed with this
2 matter. **MOTION CARRIED UNANIMOUSLY.**

3
4 Tammy Duehr moved, with a second by Marianne Mickelson, that in **case number 12-**
5 **62**, the Board find that the evidence gathered in the investigation, including witness
6 statements and the documentary evidence, does not substantiate the allegations in the
7 complaint, and that the Board therefore lacks probable cause to proceed with this
8 matter. **MOTION CARRIED UNANIMOUSLY.**

9
10 Oscar Ortiz moved, with a second by Tammy Duehr, that in **case number 12-69**, the
11 Board find that the evidence gathered in the investigation, including witness
12 statements and the documentary evidence, does not substantiate the allegations in the
13 complaint, and that the Board therefore lacks probable cause to proceed with this
14 matter. **MOTION CARRIED UNANIMOUSLY.**

15
16 Tammy Duehr moved, with a second by Oscar Ortiz, that in **case number 12-72**, the
17 Board find probable cause to establish a violation of the following provisions of the
18 Code of Professional Conduct and Ethics, 282 IAC 25.3(2)(b), 25.3(6)(c), and order this
19 case set for hearing. **MOTION CARRIED UNANIMOUSLY.** (Duane T. Magee,
20 Executive Director, left the room during discussion of this case.)

21
22 Oscar Ortiz moved, with a second by Marianne Mickelson, that in **case number 10-66**,
23 the Board accept the Respondent's waiver of hearing and voluntary surrender and that
24 the Board issue an order permanently revoking the Respondent's license with no
25 possibility of reinstatement. **MOTION CARRIED UNANIMOUSLY.**

26
27 Julio Almanza moved, with a second by Marianne Mickelson, that in **case number 11-**
28 **39**, the Board accept the Respondent's waiver of hearing and voluntary surrender and
29 that the Board issue an order permanently revoking the Respondent's license with no
30 possibility of reinstatement. **MOTION CARRIED UNANIMOUSLY.**

31
32 Tammy Duehr moved, with a second by Marianne Mickelson, that in **case**
33 **number 11-04**, the Board accept the stipulation and settlement submitted by

1 the parties, and issue an Order incorporating the agreement of the parties and
2 imposing the agreed upon sanction. Roll call vote: Almanza – recused; Duehr –
3 yes; Hill – yes; Mickelson – yes; Ortiz – yes; Overholtzer – yes; Trueg – yes;
4 Wortmann – yes. **MOTION CARRIED.**

5
6 Tammy Duehr moved, with a second by Julio Almanza, that the Board not initiate
7 review of the proposed decision in **case number 11-92, In the Matter of Michael**
8 **Lyons**, and allow the proposed decision to become the final decision of the Board
9 unless an appeal is taken by one of the parties within the time allowed by rule.

10 **MOTION CARRIED UNANIMOUSLY.** (Julie Bussanmas, Assistant Attorney General,
11 left the room and did not participate in the discussion of this case.)

12
13 Tammy Duehr moved, with a second by Oscar Ortiz, to extend the 180-day deadline
14 for issuance of the final decision in **case number 12-42**, based upon the delay
15 necessary for receipt and review of the proposed decision. **MOTION CARRIED**
16 **UNANIMOUSLY.** (Respondent filed a Resistance to Extension of 180-day Deadline and
17 Request for Hearing and the State filed a response. The Complaint was filed with the
18 Board of Educational Examiners on April 26, 2012. On October 9, 2012, the
19 Respondent filed a Resistance to Extension of 180-day Deadline and Request for
20 Hearing, arguing the Board did not have good cause to extend the deadline. The State
21 filed a response on October 11, 2012. The Board finds good cause exists in this case
22 for extension of the 180-day deadline. After the Complaint was filed on April 26, 2012,
23 the Board found probable cause to move forward to hearing at its meeting on June 22,
24 2012. A Statement of Charges was issued on July 24, 2012. The hearing date was
25 selected based on the first available date of the administrative law judge assigned to
26 the case. The hearing took place on September 25, 2012, and the parties are now
27 awaiting a proposed decision. There is good cause to extend the deadline based on the
28 amount of time necessary to resolve this case and the need for the parties to receive
29 and review the proposed decision of the administrative law judge.) (Julie Bussanmas,
30 Assistant Attorney General, left the room and did not participate in the discussion of
31 this case.)

1 Marianne Mickelson moved, with a second by Tammy Duehr, to extend the 180-day
2 deadline for issuance of the final decision in case number 12-45, based upon the
3 extraordinary amount of time needed to complete the investigation and delay in
4 scheduling the hearing. **MOTION CARRIED UNANIMOUSLY.**

5
6 Oscar Ortiz moved, with a second by Marianne Mickelson, to extend the 180-day
7 deadline for issuance of the final decision in case number 12-46 based upon the
8 extraordinary amount of time needed to complete the investigation and delay in
9 scheduling the hearing. **MOTION CARRIED UNANIMOUSLY.**

10
11 Tammy Duehr moved, with a second by Oscar Ortiz, to extend the 180-day deadline
12 for issuance of the final decision in case number 12-61 based upon the extraordinary
13 amount of time needed to complete the investigation and pending ruling on the
14 Respondent's motion to dismiss. **MOTION CARRIED UNANIMOUSLY.** (Respondent
15 filed a Resistance to Extension of 180-day Deadline and Request for Hearing. The
16 Complaint was filed with the Board of Educational Examiners on May 7, 2012. On
17 October 8, 2012, the Respondent filed a Resistance to Extension of 180-day Deadline
18 and Request for Hearing, arguing the Board did not have good cause to extend the
19 deadline. The Board finds good cause exists in this case for extension of the 180-day
20 deadline. After the Complaint was filed on May 7, 2012, the Respondent filed a motion
21 to dismiss on June 6, 2012. The Board considered this motion at its meeting on June
22 22, 2012, and issued an order denying the motion on September 28, 2012. The
23 consideration of the Respondent's motion to dismiss caused delay in the resolution of
24 this case.)

25
26 Oscar Ortiz moved, with a second by Tammy Duehr, to extend the 180-day deadline
27 for issuance of the final decision in case number 12-63, based upon the
28 extraordinary amount of time needed to complete the investigation and a delay due
29 to pending criminal charges. **MOTION CARRIED UNANIMOUSLY.**

30
31 Oscar Ortiz moved, with a second by Marianne Mickelson, to approve the closed
32 session minutes of August 9-10, 2012 and September 5, 2012 (special telephonic
33 meeting). **MOTION CARRIED UNANIMOUSLY.**

1 Communication from the Public:

2 Dwight Watson, Dean of the College of Education and Kent Johnson, Dean of
3 Continuing and Distance Education, from the University of Northern Iowa addressed
4 the Board regarding the International Teacher Licensure Program. They are seeking
5 permission to implement the Iowa International Teacher Licensure Program (IITLP),
6 which would be made available to teachers at U.S. regionally-accredited American and
7 International schools.

8
9 Board Reports:

10 None.

11
12 Executive Director's Report:

13 Mr. Magee introduced the BOEE's new attorney, Darcy Lane. Darcy joined the staff on
14 Friday, September 28th.

15
16 A joint work session is scheduled for Wednesday, November 14th, with the State Board
17 of Education. Mr. Magee and Dr. Glass will be working on the agenda.

18
19 On Wednesday, October 24th, there will be a meeting with the BOEE Executive
20 Committee members and the Academic Affairs Committee for the Board of Regents.
21 This will be more of a presentation by our committee to their committee.
22 Presentation/discussion topics will include: program approvals, ethics training and
23 teacher preparation role in ethics training.

24
25 Mr. Magee reviewed the financial report.

26
27 Statistics regarding music and art endorsements were discussed.

28
29 Possible new endorsement areas were discussed – Transliterator, Athletic Trainer,
30 Activities Director, Mental Health Counselor, Dean of Students, SAMS, At-Risk
31 Coordinator, Early Childhood Director, Alternative Early Childhood Teacher Assistant.

1 The DiSC group profiles were provided to the Board. This is about understanding
2 each other and how we interact and work with people who have a different behavior
3 profile than we may have and also understanding ourselves.
4

5 Mr. Magee informed the Board that Geri McMahon, BOEE Consultant, left to accept a
6 position with the DE as an Administrative Consultant with Title I.
7

8 A question brought up by the Board at the August meeting – How do we know that
9 online programs at Clayton-Ridge and CAM are using properly licensed teachers and
10 administrators? Amy Williamson, Chief of the Bureau of School Improvement with the
11 DE, indicated that each of the schools would have site visits this year.
12

13 Jim McNellis, BOEE Investigator, has been reaching out to other states to see what
14 they do regarding the “30-day” rule (relationship with a former student). Early reports
15 indicate that states are envious of the rule that we have in place because many other
16 states do not have anything in place. Jim will provide a report to the Board in the
17 future.
18

19 Should there be a representative from higher education on our Board? Mr. Magee
20 went to the Governor’s Office about this question since they appoint members to our
21 Board. There is nothing in rule that precludes a higher ed. representative from being
22 on the Board. It’s just a matter that they have to fill one of the areas as a public
23 member who is not a licensed practitioner or, they can be a licensed practitioner
24 working as a professor. They just have to meet the requirements.
25

26 Mr. Magee is involved in ongoing conversations regarding the entire board packet
27 being in electronic format and dealing with the security issue. Discussions continue
28 with the DE, DAS-ITE, and Board of Medicine since they have a procedure in place.
29

30 Rules:

31 Julio Almanza moved, with a second by Larry Hill, to adopt the proposed changes to
32 Chapter 19.7(1) Renewal of Administrator Licenses. **MOTION CARRIED**

33 **UNANIMOUSLY.**

1 Richard Wortmann moved, with a second by Larry Hill, to adopt the proposed changes
2 to Chapter 13.28(17) Science. **MOTION CARRIED UNANIMOUSLY.**

3
4 Marianne Mickelson moved, with a second by Mary K. Overholtzer, to adopt the
5 proposed changes to Chapter 13.26(5) Teacher-Elementary Classroom. **MOTION**
6 **CARRIED UNANIMOUSLY.**

7
8 Marianne Mickelson moved, with a second by Richard Wortmann to adopt the
9 proposed changes to Chapter 14.2(4), 14.2(6) and 14.2(7) Intellectual Disabilities.
10 **MOTION CARRIED UNANIMOUSLY.**

11
12 Julio Almanza moved, with a second by Marianne Mickelson, to adopt the proposed
13 changes to Chapter 13.28(12) 5-8 Algebra for HS Credit. **MOTION CARRIED**
14 **UNANIMOUSLY.**

15
16 Larry Hill moved, with a second by Julio Almanza, to file under Notice of Intended
17 Action, the proposed changes to Chapter 18 Issuance of Administrator Licenses and
18 Endorsements. **MOTION CARRIED UNANIMOUSLY.**

19
20 Julio Almanza moved, with a second by Marianne Mickelson, to file under Notice of
21 Intended Action, the proposed changes to Chapter 22.5 Native Language Teaching
22 Authorization. **MOTION CARRIED UNANIMOUSLY.**

23
24 Richard Wortmann moved, with a second by Tammy Duehr, to file under Notice of
25 Intended Action, the proposed changes to Chapter 13.1(3), 13.3(2), 13.3(3), 13.4,
26 13.17(1) Testing for Out-of-State Applicants. **MOTION CARRIED UNANIMOUSLY.**

27
28 Items for Discussion:

29 The proposed changes to Chapter 13.16(1) Substitute Teacher Requirements were
30 discussed and will move forward to Notice at a future meeting.

31
32 The proposed changes to Chapter 11.7(1) Delivery (Notice of Hearing) were discussed
33 and will move forward to Notice at a future meeting.

1 The International Teacher Intern Program Proposal from UNI was discussed and will
2 return for further discussion.

3
4 Petitions for Waiver:

5 Larry Hill moved, with a second by Julio Almanza, that in **PFW 12-02, Mark Young**,
6 the Board deny the Petition for Waiver. (On January 4, 2012, Mark Young filed a
7 Petition requesting waiver of the rules for the administrative license. The Petition was
8 incomplete and Mr. Young submitted additional documentation on February 7, 2012.
9 The Board considered the Petition, and supporting documentation provided by the
10 Petitioner at its March 9, 2012, meeting. The Petition for Waiver was DENIED. Mr.
11 Young filed an Application for Leave to Present Evidence in the District Court for Cerro
12 Gordo County. Following a hearing on August 13, 2012, the court remanded the
13 waiver request to the Board to allow Young to submit additional evidence. On
14 September 7, 2012, Mark Young filed a Petition and additional evidence requesting
15 waiver of the rules for the administrative license.) Mr. Young was present and
16 addressed the Board. Reasons for denial: The Board changed the requirements for
17 administrative licensure from 5 years of teaching experience to three years of
18 experience several years ago. The Board also developed specific rules indicating that a
19 Class B conditional license in administration would not be issued if the person did not
20 have the three years of teaching experience. These rules have been in place for several
21 years so Mr. Young should have been aware of the fact that three years of teaching
22 experience are required for an administrator license. Mr. Young indicated that Drake
23 University personnel did not share that information with him. Mr. Young did not
24 provide evidence that it would be difficult to find a job. However, he has not
25 completed his administrative program yet so he has not attempted to find a position.
26 The Board reviewed past waivers which show a preponderance of board orders denying
27 the waiver of petitioners who had not completed three years of teaching experience.
28 The board orders that were granted were based on the petitioners verifying experiences
29 they completed which were evaluated using the Iowa teaching standards. The Board
30 reviewed additional letters of recommendation that Mr. Young submitted regarding his
31 experiences. The letters indicate Mr. Young is a successful school board member, he
32 is doing well in his administrative course work, and he is a strong legal advocate for
33 juveniles. The Board indicated these are all commendable experiences but they do not

1 include the specific competencies that relate to the Iowa teaching standards and thus
2 would equate to a third year of teaching experience. Three years of teaching
3 experience are required for an individual to become tenured or off probation. Thus it
4 is a very minimum standard of experience in order to become a principal. In addition,
5 Mr. Young's teaching experience was completed two decades ago so requiring a third
6 year of recent teaching experience would be beneficial due to the changing cultural
7 environment of teaching. A Board member noted that an administrator who has not
8 recently served as a teacher is not aware of current cultural concerns such as bullying
9 and thus would not have many of the experiences necessary for the position. One of
10 the Board members indicated that a successful administrator must have credibility
11 with teachers. If the person has not completed recent or varied teaching experience,
12 the teachers may not accept the educational decisions rendered by this administrator
13 because the administrator lacks teaching experience. A Board member stated some
14 information could only be gained by serving in the classroom because they are not
15 taught in college programs. The Board indicated that the role of the principal has
16 changed from management to instructional leadership. Thus if a person has not
17 completed several years of teaching experience, the person does not have the depth of
18 knowledge related to curriculum and instruction. The Board indicated it was very
19 admirable that Mr. Young represents children in need of assistance but they did not
20 believe that experience is equivalent to teaching experience. They indicated that all
21 individuals should be advocates for children. The Board also indicated serving on a
22 school board would be good experience for a potential administrator but again it is not
23 the equivalent of teaching experience. When the Board adopted rules that changed
24 the requirement of five years of teaching experience to three years of teaching
25 experience in order to serve as a principal, they were adamant to draw a hard line at
26 the three years of teaching experience. The Board felt it would be a "slippery slope" to
27 allow a person with only two years of teaching experience to obtain an administrator
28 license. The Board indicated that the legislature has not passed any laws regarding an
29 alternative pathway for administration so there is no way of knowing if the alternative
30 pathway would also include a different requirement for experience. The Board felt that
31 to truly protect the public health, safety, and welfare of students that a person should
32 have three years of teaching experience so the person has breadth and depth of
33 knowledge of curriculum, instruction, and cultural issues that affect today's students.

1 The Board indicated that it would be willing to review a petition for a waiver of the
2 rules for a Class B conditional license for Mr. Young. This may allow him the
3 opportunity to serve as an administrator and teacher in order to meet the
4 requirements for the full administrative licensure. Roll call vote: Almanza – yes;
5 Duehr – yes; Hill – yes; Mickelson – yes; Ortiz – yes; Overholtzer – no; Trueg – yes;
6 Wortmann – yes. **MOTION CARRIED.**

7
8 Julio Almanza moved, with a second by Richard Wortmann, that in **PFW 12-14,**
9 **Charletta Sudduth**, the Board approve the Petition for Waiver. Reasons for approval:
10 The Board found that it would be an undue hardship to require Ms. Sudduth to
11 complete another program because she already completed one that substantially
12 complies with the requirements for state approval. The Board discussed the fact that
13 Iowa only has two state approved programs for school social work. They were
14 informed that the special education licensure consultant reviewed the course work
15 and experiences that Ms. Sudduth completed and indicated that she has met the state
16 minimum requirements. Ms. Sudduth did complete a social work program and has
17 completed over 20 semester hours of education course work in her doctorate course
18 work in curriculum and instruction. Thus she has met all of the requirements except
19 that the University of Northern Iowa program is not approved by the Iowa Department
20 of Education. The Iowa Department of Education has approved other preparation
21 programs at the University of Northern Iowa for teacher licensure as well as for
22 professional service licensure. It is just that the school social work preparation
23 program has never been submitted for approval. The program Ms. Sudduth completed
24 is nationally accredited so the integrity of the licensure standards would be upheld.
25 The Board has promulgated rules and standards for licensure. The rule from which
26 Ms. Sudduth seeks a waiver is not specifically mandated by statute or any other
27 provision of law, and, accordingly, may be waived by the Board. Ms. Sudduth
28 indicated since she graduated from an accredited institution and has 13 years of
29 experience working with young children and their families that everyone would benefit
30 if she could coach and support the early childhood teaching staff. Ms. Sudduth
31 indicates she will not be working directly with students so their welfare will not be
32 compromised. The Board stated that Ms. Sudduth would complete a background
33 check and would not be working directly with students. Thus the safety and welfare of

1 the students would not be at risk. She is aware of best practice of working with
2 students due to her doctorate work. The Board does not see any threat of public
3 health, safety or welfare. **MOTION CARRIED UNANIMOUSLY.**

4
5 The legislative agenda and legislative reception will be held on January 17, 2013.
6 There will be more discussion regarding the agenda and reception at the November
7 meeting.

8
9 There being no further business, Carol Trueg asked for a motion to adjourn the
10 meeting. Larry Hill moved, with a second by Julio Almanza. **MOTION CARRIED**
11 **UNANIMOUSLY.** The meeting was adjourned at 1:50 p.m.